



TOWN OF LOOMIS

**ACTION MINUTES
REGULAR MEETING OF
LOOMIS TOWN COUNCIL
LOOMIS TOWN HALL
6140 HORSESHOE BAR ROAD, STE. K
LOOMIS, CA 95650**

TUESDAY	SEPTEMBER 9, 2008	7:00 P.M.
CLOSED SESSION – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.		
a. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION. Pursuant to Subdivision (a) of Section 54956.9: Name of case: Clover Valley Town of Loomis v. City of Rocklin, et al and Rocklin 650 Venture, et al. Placer County Case No. SCV 22017 consolidated with Case SCV 22031		
b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Initiation of litigation pursuant to Subdivision (b) Section 54956.9: One potential case		
TUESDAY	SEPTEMBER 9, 2008	7:30 P.M.

CALL TO ORDER

Call to order by Mayor Kelley at 7:33 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:

Mayor Kelley
Councilmember Millward
Councilmember Morillas
Councilmember Scherer
Councilmember Ucovich

STATEMENT OF ACTION TAKEN DURING CLOSED SESSION

- a. No action taken.
- b. No action taken.

MATTERS OF INTEREST TO COUNCILMEMBERS/FUTURE AGENDA ITEMS

Councilmember Ucovich stated the following:

- asked to discuss the train depot dedication on the next agenda
- there should have been clarification in the Loomis News article, the Mayor forgot to mention they did form a committee to talk with Rocklin

Mayor Kelley noted the following:

- he forgot to add in the article that lawsuits are a poor use of public funds
- there was nothing accomplished at the Rocklin meeting

All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five-minute time limit. The Mayor has the discretion of limiting the total discussion time for an item.

Written Material Introduced Into the Record: Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.

PUBLIC COMMENT: This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please **note that comments from the public will also be taken on any item on the agenda.** The time allotted to each speaker is five minutes. No public comment.

ADOPTION OF AGENDA

A motion was made to adopt the Agenda. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by voice vote.

OPPORTUNITY TO COMMENT ON CONSENT CALENDAR: All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

A motion was made to adopt the Consent Agenda, pulling items 6 and 7 forward for discussion at the end of the agenda. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by voice vote.

CONSENT AGENDA

RECOMMENDED ACTION

- | | |
|-------------------------------------|-------------------------|
| 1. Council Minutes — Revised 7/8/08 | <i>APPROVE</i> |
| 2. Monthly Check Register – August | <i>RECEIVE AND FILE</i> |
| 3. Statement of Activity | <i>RECEIVE AND FILE</i> |
| 4. Treasurer's Report | <i>RECEIVE AND FILE</i> |
| 5. Planning Status Report | <i>RECEIVE AND FILE</i> |

CONSENT ITEMS FORWARDED

- | | |
|----------------------------|-------------------------|
| 6. 2008/09 Projects Update | <i>RECEIVE AND FILE</i> |
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Councilmember Ucovich asked for an update on items 4, 8 and 14.

Perry Beck, Town Manager, stated the following;

- 4. he is waiting to update the website until they move over to the new Town Hall, then they will need more space on the server
- 8. he can put the banner/entry feature on the next agenda for discussion
- 14. nothing has been done on the regional publicity program yet

No public comment.

Received and filed.

- | | |
|---|-------------------------|
| 7. Resolution of the Town Council of the Town of Loomis
Changing Regularly Scheduled Council Meeting Date From
November 11, 2008 to November 12, 2008 | <i>ADOPT RESOLUTION</i> |
|---|-------------------------|

No public comment.

Following further discussion on the matter, a motion was made to adopt Resolution 08-29, changing the regularly scheduled Council meeting date from November 11, 2008 to November 12, 2008. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote.

BUSINESS

8. Del Mar Avenue Improvements

On July 8, 2008 Council heard concerns from several residents on Del Mar Avenue to close The road and tonight the time line of events will be discussed

Recommended action: Discuss and direct staff

Public comment:

Gary Liss, 4395 Gold Trail Way, stated the following:

- the Town should have a map showing all of the different developments that are coming in around them
- if we fix the road now it will only encourage more and faster traffic
- urged Council to survey the residents along Del Mar Avenue to find out what they want and to inform them of what is coming

John Nitta, owns High Ranch Nursery on Del Mar Avenue, stated the following:

- he is a third generation on Del Mar
- reminded Council that six years ago the Town hired a consultant, Fehr and Peers, who came up with a plan to close Del Mar
- they formed a group, "Citizens to Save Del Mar," and came up with a solution
- safety was the issue and the Town agreed to put in speed bumps and stop signs
- traffic counts today would show that it has been reduced
- they do not want Del Mar Avenue closed
- suggested adding another bump to slow future traffic
- it is up to the Town Engineer as to the safety issues and what needs to be done to keep it safe

Al Nitta, he was born on Del Mar Avenue 85 years ago, and stated the following:

- a few years ago some of the new residents wanted to close Del Mar Avenue because people were taking short cuts on Del Mar to get to Rocklin and Loomis
- it was a safety issue but their committee did not want Del Mar Avenue closed
- their minutes were sent to Council with suggestions on how to slow the traffic down
- the Council took their recommendations to put in speed bumps and stop signs and that solved the problem
- he questioned why Council wants to close Del Mar now

Nancy Fanny, 3732 Del Mar Avenue, stated she wants Del Mar Avenue left the way it is.

Verdie Montgomery, 3693 Del Mar Avenue, stated she was against closing Del Mar Avenue.

Lisa Pywtorak, 3861 Del Mar Avenue, stated the following:

- questioned if the residents were aware of the developments that will be coming in around them
- pointed out that Del Mar Avenue will be a cut through for all the developments
- there solution worked before but questioned whether it would work with all the future traffic impacts

Karen Lopez, 3714 Del Mar Avenue, stated she wants to keep Del Mar Avenue opened and with all the bumps kept in.

Following further discussion on the matter, Council directed staff to only take care of safety issues, if needed, and there will be no improvements done at this time. This will be revisited in the future if there are safety issues involved with the new developments coming in.

9. Capital Improvement Program

Consider proposed Capital Improvement Program 2008-2013 and incorporate any revisions made during discussions

Recommended action: Approve the updated 2008-2013 Capital Improvement Program

Public comment:

No public comment.

Following further discussion on the matter, Council directed staff to come back at the next meeting with more information and a matrix showing the various funding sources that will apply to different programs.

10. Homewood Lumber Authorization to Prepare a Development Agreement

TC 8/12/08

(Continued from August 12, 2008)

In order to confirm development processes and fees Council is asked to authorize staff to prepare a development agreement for Homewood Lumber and proceed into the hearings necessary to conclude that planning process in a timely manner

Recommended action: Discuss and decide if a development agreement should be prepared and processed for the Homewood Lumber relocation project and identify deal points that Council would like to be included in a draft agreement

Public comment:

Councilmember Scherer stated the following:

- there will be a 1000 trees cut down and the Town will identify locations where 1000 trees can be planted and suggested Homewood giving the Town 100 trees a year to be planted until they are all planted
- the development agreement can identify where the trees will go

Councilmember Ucovich stated a concern for the planting and maintaining of 1000 trees, unless this is identified on how it will work.

Mayor Kelley suggested dedicating (the 1000 trees) 100 trees per year to the program that Pat Miller asked to do and she will monitor it.

Councilmember Millward pointed out, that on the committee, Councilmember Scherer suggested planting trees along the railroad property and what is left over can be given to the Pat Miller project.

Gary Liss stated the following:

- he is glad to see a lot of ideas that were discussed at the last Council meeting were incorporated in the agreement
- on accepting the land, suggest doing the irrevocable trust idea (like Morgan Estates open space) to be considered as part of this agreement so if the Town wants to accept the land at some point, they can exercise that right
- he suggested Homewood be responsible for planting the trees and once they are in the ground the responsibility ends
- if on public land they should be responsible for maintaining the trees for five years
- he supports the Pat Miller program
- suggested taking out the Taylor Road improvement fee of \$62,280,
- he questioned the paving next to a nature area

Hamid Noorani, owner of Homewood Lumber, stated the following:

- he thanked the committee for their time in bringing this closer to a decision point
- he clarified that they were not removing a 1000 trees, they are removing 130 trees
- we have tried to come to a value for the 3.8 acres of land, we agree that it is not worth the same as buildable land would be, it's up to the Town as to how they value that
- they will continue to own the land if the Town wishes not to take the land, the Town may want to have the option to do something in the future
- they are subject to the Army Core regarding the protection of the wetlands

Perry Beck, Town Manager, stated that he has heard what the Council wants and will now create the document that will start it's way through the process, it will first be sent to the Planning Commission for their approval.

Mayor Kelley suggested that this process is fast-tracked through a priority basis.

Recess at 9:10 p.m. to 9:20 p.m.

11. Open Space Committee 2 Recommendations Review

At the February 2008 joint meeting the Council developed work plan goals for the Park and Open Space Commission that included a Council review of recommendations from Open Space Committee 2 to determine which to submit to the Park and Open Space Commission as matters to include in the work plan

Recommended action: Consider open space definition and the Open Space Committee 2 recommendations and decide what to include in the update of the 1998 Parks and Recreation Master Plan

Public comment:

Mayor Kelley suggested only addressing the definition of open space at this time and continue the rest to a future meeting.

Chairman Gary Liss, Park and Open Space Commission, pointed out that discussion on that one item would be a significant step forward.

Councilmember Scherer questioned why they are changing Open Space to Green Space and pointed out that it was not consistent with the communities terminology.

Chairman Liss pointed out that they thought the general public would understand Green Space better.

Councilmember Millward pointed out that government should not be in control of open space on private property.

Councilmember Ucovich stated the following:

- that we are lumping private and open space all into one, which makes it look like we have a lot of open space available and we don't
- he suggested separating the open space and private open space into two categories, for funding
- he agrees with Mr. Scherer that Open Space is a better terminology than Green Space
- Recreation is what anybody does in their free time and all parks are recreation parks whether they are active or passive
- the term "Recreation Park" should be changed to "Active Park"

Mayor Kelley stated he agrees with the Council and pointed out that he spent some time going through the General Plan and found that Open Space was referenced all through the General Plan but never Green Space.

Gary Liss stated the following:

- at their last meeting they were trying to understand where the majority of the Council would come out on the issues that was in the Open Space Committee 2 report
- the fundamental aspect of the Open Space Committee report that they need direction on is: we can remain the community that we are as is to maintain our rural lifestyle; or we can get money in from development to pay for more parks and open space so we maintain rural feel of the community that we currently have
- he recommends adopting the definition with the modifications that are discussed tonight and then agendize this for the next Council meeting and to have the action be to recommend all of the Open Space 2 recommendations go forward as proposed except for any items that the Council objects to

Mayor Kelley requested eliminating all of the "but are not limited to" in the definition because it leaves way too much open.

Following further discussion on the matter, a motion was made to adopt the definition of Open Space as recommended by the Open Space Commission changing:

- Green Space to Open Space
- Recreation Park to Active Park
- add in the "Important Scenic Resource" after the last sentence – "These important scenic resources include lands with public rights and lands where there is no public rights"
- remove all of the "but are not limited to"
- eliminate the "Waterway Buffer Zone" section

On motion by Councilmember Scherer, seconded by Councilmember Millward and passed by the following roll call vote:

Ayes: Kelley, Millward, Morillas, Scherer, Ucovich

Noes: None

Council asked staff to continue the rest of the items to be discussed at a future meeting.

12. **Depot Architect Contract Amendment**

An amendment to the contract with David Piches, Architect on the Depot project is necessary to complete the architectural, engineering work and final inspection

Recommended action: Approve resolution amending contract with David Piches, Architect on the Depot project.

Public comment:

No public comment.

Following further discussion on the matter, a motion was made to adopt Resolution 08-30, amending the October 2007 contract with Piches Architecture on the Loomis Depot project. On motion by Councilmember Scherer, seconded by Councilmember Millward and passed by voice vote.

13. **Plan Downtown Park**

Councilmember Ucovich requests that the Council consider planning a downtown park next to the Depot facility

Recommended action: Discuss and direct staff.

Public comment:

No public comment.

Councilmember Ucovich stated the following:

- we have \$478,000 in Park fees
- suggested having a small tot lot with a water feature and covered picnic tables next to the Depot
- request authorizing the Park and Open Space Commission to start the process of developing the plans for a park

Following further discussion on the matter, a motion was made to authorize the Park and Open Space Commission to start the process of designing a park adjacent to the Depot and recommend to the Council for authorization to hire an architect. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

14. **Depot and Town Hall Occupancy**

The Loomis Depot and SPMUD (new Town Hall) buildings will soon be ready for occupancy and it will be helpful to discuss a move-in plan and there will need to be various kinds of equipment and furnishings purchased

Recommended action: Approve move-in plan and authorize staff to obtain information and costs on the equipment and furnishings as listed or as may be amended by the Council

Public comment:

Lisa Pywtorak suggested putting in hardwood flooring in the new Town Hall building pointing out that carpeting has chemicals and collects dust and mites.

Mayor Kelley suggested scheduling the Christmas party and the dedication of the Depot at the same time.

Council agreed to have the dedication of the Depot at the same time as the Christmas party.

Following further discussion on the matter, Council agreed to approve the move-in plan and authorized staff to obtain information and costs on the equipment and furnishings as listed or as may be amended.

15. **Select Rocklin Development Projects Update** (Continued from August 12, 2008) TC 7/8/08

The City of Rocklin has a number of development projects moving along in the area along Sierra College Boulevard and on Del Mar Avenue that could impact Loomis Residents, Roads, and the general quality of the Loomis community.

Recommended action: Review development information and direct the Council sub-committee (Mayor Kelley and Vice Mayor Scherer) that has met once with Rocklin, as to any actions the Council would like the Committee and/or Special Legal Counsel and staff to take.

Public comment:

Mayor Kelley suggested on forming a borders committee on the next meeting.

Council agreed.

Lisa Pywtorak stated the following:

- Sierra College Boulevard and Del Mar intersections have not been evaluated in the EIR
- these projects will cause negative economic impacts on Loomis
- our nurseries and Raleys could be heavily impacted because of Home Depot and Walmart
- the homeowners adjacent to these projects will suffer huge economic impacts
- she questioned why the developer has already invested money into the project before it has been approved

Gary Liss stated the following:

- he agreed with Ms. Pywtorak and said the economic impact issues needed to be emphasized more
- he would like the Town to get Raleys involved and the businesses notified
- he asked for a map of all the proposed projects that will be coming in
- developing a borders committee is a great idea
- no one wins without co-operation and he would like to see the developers and Rocklin to the table

Perry Beck, Town Manager, stated that he will see that these comments are sent to Don Mooney, Loomis Town Counsel, on the Rocklin Developments.

16. **State Department of Water Resources Grant (DWR)**

The DWR is nearing release of a grant that may have some applicability to Loomis and with a filing date nearing it is prudent to get Council direction at this time so that an application can be developed in a timely manner

Recommended action: Decide on projects that Council would consider applying for, pick more than one because several applications may be helpful to secure a grant, and authorize staff to prepare the necessary paperwork when DWR finalizes the grant documents and filing date

Public comment:

No public comment.

Councilmember Ucovich suggested applying for a grant to clean up the retention basin off of South Walnut Street in the Heritage Park Estates.

COMMITTEE REPORTS

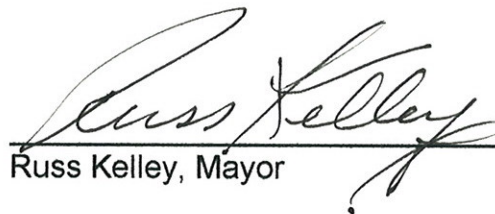
17. Placer County Economic Development Commission – Ucovich
18. Placer County Flood Control/Water Conservation District – Morillas
19. Placer County Transportation Planning Agency – Kelley/Millward
20. Placer County Mosquito Abatement – Ucovich
21. Placer County Air Pollution Control District – Millward/Ucovich
22. Placer County Community Services Commission - Millward
23. Sacramento Area Council of Governments – Scherer/Kelley
24. Placer Land Trust ex-officio representative - Scherer

ADJOURNMENT

Mayor Kelley stated there was no further business and adjourned at 10:50 p.m.



Crickett Strock, Town Clerk


Russ Kelley, Mayor